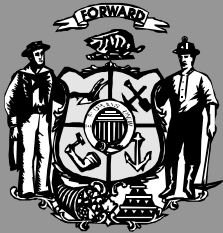




ANNUAL REPORT 2004

**THE 2004
COMMISSION**

**Wisconsin Sentencing Commission
2004 Annual Report**



Chairperson

Susan Steingass, University of Wisconsin Law School

Voting Members

Daniel P. Bach, Office of the Attorney General

Rep. Garey Bies, Wisconsin Assembly

John Birdsall, Birdsall Law Offices, S.C.

The Honorable Patrick J. Fiedler, Dane County Circuit Court

Sheriff Ann Hraychuck, Polk County

The Honorable Elsa Lamelas, Milwaukee County Circuit Court

William Lennon, District Attorney, Winnebago County

Ronald K. Malone, Superintendent, Milwaukee House of Correction

Gerald Mowris, Attorney

The Honorable Louis Butler, Milwaukee County Circuit Court

(The Honorable Marshall Murray, Milwaukee County Circuit Court appointed December 2004 to fill the vacated seat by now-Justice Butler).

Rick Myers, Police Chief, Appleton, Wisconsin

The Honorable Peter Naze, Brown County Circuit Court

Patti Seger, Wisconsin Coalition Against Domestic Violence

Michael Tobin, Director, Trial Division, State Public Defender

Rep. David Travis, Wisconsin Assembly

Sen. Dave Zien, Wisconsin State Senate

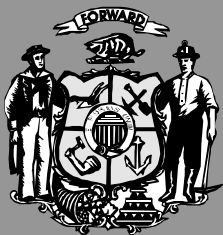
Sen. Gwen Moore, Wisconsin State Senate *(appointment to fill vacated seat pending at time of publication)*

Non-Voting Members

Matthew Frank, Secretary, Wisconsin Department of Corrections

A. John Voelker, Director of Wisconsin State Courts

Lenard Wells, Chair, Wisconsin Parole Commission



ACKNOWLEDGEMENTS

Wisconsin Statute 15.105(27) authorizes operation of the Wisconsin Sentencing Commission. Chapter 973.30(1)(f) requires the Commission to issue "an annual report regarding its work, which shall include all sentencing guidelines and all changes in existing sentencing guidelines adopted during the 12 months preceding the report." The following report complies with the requirements of that legislation.

The Commission also expresses its appreciation to all of the presenters at Commission meetings, to all officials of state departments, agencies, courts, and the University of Wisconsin-Madison, and especially to all the people listed below who contributed so much to its work and success in the past year:

The Honorable Thomas Barland, former chair of the WI Criminal Penalties Committee

Deborah Bothell, WI Department of Administration

Jean Bousquet, WI Administrative Office of the Courts

Nicole Chapman, WI Department of Corrections

Dan Fischer, University of Wisconsin-Madison

Joe Fontaine, Ripon College

Thomas Hammer, Professor, Marquette University School of Law

Jim Johnston, WI Department of Administration

Adelaide Krahn, WI Department of Corrections

Sarah Maguire, University of Wisconsin-Madison

Mary Massey, WI Department of Administration

Lisa Mueller, University of Wisconsin-Madison

Roger Mukasa, WI Department of Administration

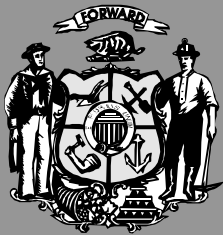
Melissa Schmidt, University of Wisconsin-Madison

Jana Steinmetz, WI Department of Administration

Anthony Streveler, WI Department of Corrections

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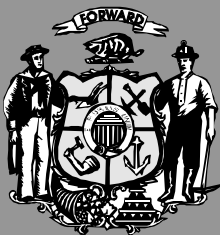
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COMMISSION BACKGROUND

History

In 1997 the Wisconsin State Legislature replaced the state's indeterminate sentencing with "truth in sentencing," which went into effect in 1999. It also created the Criminal Penalties Study Committee with the following duties:

- To develop a uniform classification system for all state felonies and Class A misdemeanors, with all felonies brought together into a single code
- To organize a state sentencing commission to develop advisory sentencing guidelines for sentences "bifurcated" into incarceration and extended supervision (ES) components
- To adapt state Department of Corrections administrative rules in order to foster prompt return of ES violators for appropriate periods of time.

In 1999 the Committee issued its mandated report with the new felony classification system, temporary advisory sentencing guidelines, and a recommendation to create a permanent sentencing commission. In 2002 the subsequent legislation, 2001 Wisconsin Act 109, was signed into law by the governor. The Commission started meeting in the fall of 2003.

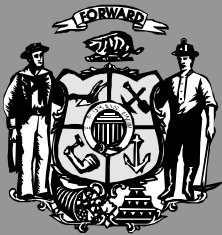
The 2004 Commission - Overview

With the hiring of an Executive Director and Deputy Director, the Wisconsin Sentencing Commission began full operation in January 2004. Its duties under Wisconsin Statute §973.30 (2004), include (1) collecting and reporting state sentencing data, (2) adopting advisory sentencing guidelines for felonies committed on or after July 20, 2002, (3) providing correctional cost impact information to the state legislature and agencies as well as the public, (4) producing periodic reports on sentencing topics, (5) assisting the legislature in costing out effects of new or proposed sentencing legislation, and (6) analyzing the effect of race on state sentencing practice.

The Commission is an independent, bipartisan agency composed of eighteen voting members representing all three branches of government, prosecution and defense, criminal justice practitioners, and citizens, including a victims' rights representative. Its members are selected by the governor, the legislature, the attorney general and the courts and serve a three-year, renewable term.

BACKGROUND

Wisconsin Sentencing Commission 2004 Annual Report



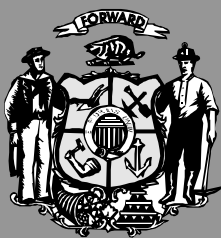
The Director of State Courts, the Secretary of the Department of Corrections and the Chair of the Parole Board serve as *ex officio* members.

The Commission executes its duties through three permanent committees: Sentencing Guidelines, Data and Research, and Public Outreach.

UW Law professor and former circuit court judge Susan Steingass chairs the Commission. The Executive Director, Michael Connelly, formerly directed Maryland's State Commission on Criminal Sentencing Policy and has a Ph.D. in political science from the University of Missouri. Jim Pingel, deputy director, worked in finance and crime analysis in the City of Milwaukee and has a Master's Degree from the Robert M. La Follette School of Public Affairs at the University of Wisconsin.

It provides sentencing data and information to courts, policymakers, practitioners, and the public and makes recommendations about sentencing policy to all three branches of state government.

The Commission has posted a public website at <http://wsc.wi.gov>. The website contains the Commission's composition and legislative history, data and reports on state sentencing and guideline use, minutes and agendas of past meetings, and links to other data and reports relevant to state sentencing policy. The Commission has analyzed for possible action materials and presentations on correctional costs and benefits, problem-oriented sentencing, the effect of race in Wisconsin criminal justice, felony classification under Truth in Sentencing, and pre-sentence investigation recommendations.



ENABLING LEGISLATION

Wisconsin statute §15.105(27) of the Wisconsin Statutes establishes the commission and its membership:

(27) Sentencing commission.

15.105(27)(a) (a) *Creation; membership.* There is created a sentencing commission that is attached to the department of administration under s. 15.03 and that shall consist of the following members:

15.105(27)(a)1. 1. The attorney general or his or her designee.

15.105(27)(a)2. 2. The state public defender or his or her designee.

15.105(27)(a)3. 3. Seven members, at least 2 of whom are not employed by any unit of federal, state, or local government, appointed by the governor.

15.105(27)(a)4. 4. One majority party member and one minority party member from each house of the legislature, appointed as are the members of standing committees in their respective houses.

15.105(27)(a)5. 5. Two circuit judges, appointed by the supreme court.

15.105(27)(a)6. 6. One representative of crime victims and one prosecutor, each appointed by the attorney general.

15.105(27)(a)7. 7. One attorney in private practice engaged primarily in the practice of criminal defense, appointed by the criminal law section of the State Bar of Wisconsin.

15.105(27)(b). (b) *Nonvoting members.* The secretary of corrections or his or her designee, the chairperson of the parole commission or his or her designee, and the director of state courts or his or her designee shall be nonvoting members of the commission.

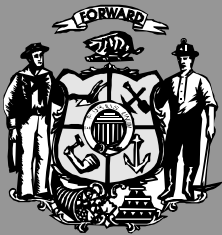
15.105(27)(c). (c) *Terms.*

15.105(27)(c)1. 1. Except as provided subd. 2., members appointed par. (a) 3. and 5. to 7. shall serve 3-year terms and are eligible for reappointment.

15.105(27)(c)2. 2. The term of a circuit judge appointed par. (a) 5. shall end when such person ceases to be a circuit judge. The term

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of a prosecutor appointed under **par. (a) 6.** shall end when such person ceases to be a prosecutor.

15.105(27)(d)

(d) *Officers.* The governor shall designate annually one of the members of the commission as chairperson. The commission may elect officers other than a chairperson from among its members as its work requires.

15.105(27)(e)

(e) *Reimbursement and compensation.* Members of the commission shall be reimbursed for their actual and necessary expenses incurred in the performance of their duties. An officer or employee of the state shall be reimbursed by the agency that pays the member's salary. Members who are full-time state officers or employees shall receive no compensation for their services. Other members shall be paid \$25 per day, in addition to their actual and necessary expenses, for each day on which they are actually and necessarily engaged in the performance of their duties.

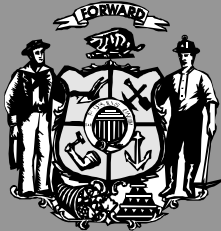
15.105(27)(f)

(f) *Sunset.* This subsection does not apply after December 31, 2007.

The current membership of the Commission is listed on page 1, above.

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THE GOVERNOR'S CHARGE TO THE COMMISSION

Governor Jim Doyle specifically tasked the Commission with the following:

As you undertake these tasks, I ask that the Commission focus on the following areas consistent with your statutory charge:

As you develop new, permanent sentencing guidelines for the State of Wisconsin, I encourage you to consider the mission of Truth In Sentencing-- to restore credibility and coherence to criminal sentencing and deliver a greater measure of public safety to our communities. The guidelines that you develop should ensure that this critical mission is met.

As demonstrated in other states, successful Sentencing Commissions have solid data systems. I urge the Commission to develop of a strong, technology-based data collection system, which will be a critical component of your work. In order to maximize your data analysis capability, the data system you develop should be able to integrate data from the courts, the Department of Corrections, and other relevant sources. This technology will ensure that you not only have a system to ensure efficient data analysis, but also will provide the Commission with a mechanism to share information with judges, prosecutors, the defense bar, the legislature, and other policy makers.

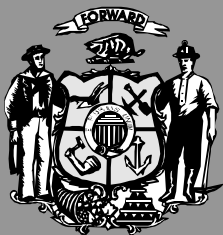
Further, as you evaluate new guidelines and compile critical data regarding sentencing practices throughout Wisconsin, I ask you to take into account whether sentences are consistently applied throughout the state and to examine the effects of inconsistent sentences. In our efforts to ensure equal justice for all, it is incumbent upon us to ensure, to the greatest extent possible, that those found guilty of similar crimes and have the similar criminal histories receive similar sentences, regardless of where in the state they may have committed that crime.

Per your statutory charge, the Commission is required to provide information to the legislature, the executive branch, and the public regarding the costs to the Department of Corrections that result from sentencing practices, as well as the costs of enacting new or revising existing statutes affecting criminal sentencing. As you strive to meet these requirements and to create guidelines that promote and enhance public safety, the Commission should take into account the overall costs and effectiveness of sentencing practices. For example, the Commission should consider sentence lengths, both in terms of incarceration and extended supervision, to ensure that incarceration and supervision resources are allocated most effectively. Through your data collection and analysis efforts, the Commission may identify means to protect the public safety and reduce public expenditure at the same time.

Any permanent guidelines that you create should include guidelines for the use of alternative sanctions. Violent felons should continue to be sentenced to serve lengthy prison terms. However, research demonstrates that taxpayer investment in alternative programs, including

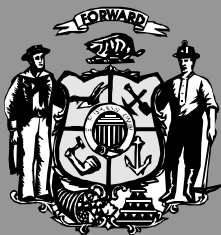
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well-implemented rehabilitation and prevention programs for certain offenders, results in lower crime rates and lower taxpayer expenditures. The Commission should undertake efforts to ensure that Wisconsin is neither under-incarcerating violent offenders nor over-incarcerating truly non-violent offenders. As the body charged with reviewing our state's policies of incarceration and other crime control measures, the Sentencing Commission is uniquely positioned to consider this type of cost-benefit analysis and approach as you craft our state's new sentencing guidelines.

Memo dated November 21, 2003. Accessible online at <http://wsc.wi.gov/section.asp?linkid=3&locid=10>



REPORTS AND ACTIVITIES FOR 2004

Wisconsin statute §973.30 lists the required duties and roles of the Commission.

Below, each of the duties assigned to the Commission by that statute is listed with the activities completed in 2004 and those planned for 2005 and beyond (2004 activities in italics; timeline in bold).

973.30(1)(a)

1) (a) Select an executive director having appropriate training and experience to study sentencing practices and prepare proposed sentencing guidelines.

Executive Director Michael Connelly selected December 2003 who had previous experience as director and in developing guidelines and commission offices in two states; began work January 2004.

TASK COMPLETED.

973.30(1)(b)

b) Monitor and compile data regarding sentencing practices in the state.

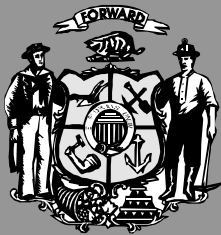
Developed data entry system for existing sentencing guidelines worksheet. Developed personnel process for data entry and analysis through internship partnerships with UW departments and Ripon College. Completed report on areas for revision and improvement of existing worksheets. Entered over 1000 cases and began reporting on guidelines practice.

Completed revision of data from the state Department of Corrections to use for sentencing-related purposes.

Completed agreement with the state Administrative Office of the Courts to develop system for pulling data from its Consolidated Court Automated Programs database. Currently merging data on burglary, robbery, and armed robbery with case and offender data provided by DOC.

Submitted grant proposal to National Institute of Justice to fund analyst and technical support to help merge sentencing guidelines worksheet data with the combined CCAP/DOC data system.

Completed merger of CCAP/DOC data on burglary, robbery, and armed robbery.



TASK ONGOING BUT STRUCTURALLY COMPLETED.

- Will complete CCAP/DOC data merger for all felony offenses.
- Will use system to develop databases on other offenses, such as drug, OWI, and others requested by Commission on bi-monthly basis.
- Will update data on sentencing guidelines worksheets into revised data system by end of November 2004.

973.30(1)(c)

(c) Adopt advisory sentencing guidelines for felonies committed on or after July 30, 2002, to promote public safety, to reflect changes in sentencing practices and to preserve the integrity of the criminal justice and correctional systems.
Met with judges at conferences and workshops as well as in one-on-one meetings in each of the state's ten districts to discuss concerns and needs regarding the sentencing guidelines and the worksheets.

Presented at conferences of state judges, prosecutors, and public defenders to discuss concerns and needs regarding the sentencing guidelines and the worksheets.

Approved and disseminated among practitioners for feedback draft guidelines worksheets for the temporary guidelines process.

Will institute operation of new worksheets and NOTES by Spring 2005.

973.30(1)(d)

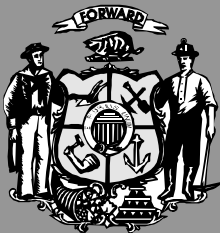
(d) Provide information to the legislature, state agencies, and the public regarding the costs to and other needs of the department that result from sentencing practices.

Meetings with UW faculty from La Follette Institute, School of Law, Department of Sociology, and Department of Political Science to develop process for providing evaluations of successful, tax-effective correctional programs

Meetings with officials from state DOC and Office of Justice Assistance to secure institutional support for an improved evaluation process.

**REPORTS &
ACTIVITIES**

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Reached agreement with the La Follette Institute for Public Affairs to provide trained graduate students for analyses of existing funding system and “what works” efforts around the nation.

Participating, at the request of the Supreme Court’s Policy and Planning Advisory Council, on its “Alternatives to Incarceration” subcommittee.

Organized presentations to Commission to examine the history, mechanics, and outcomes of alternative funding mechanisms for Wisconsin corrections and criminal justice.

- **Will continue exploration of evaluation mechanisms and partnerships to enhance research and reporting capacity.**
- **Will continue study of how other states fund criminal justice and related programs.**
- **Will have La Follette analyst replicate the Washington state cost-benefit study discussed earlier in 2004 with Wisconsin data by end of May 2005.**

973.30(1)(e)

e) Provide information to judges and lawyers about the sentencing guidelines.

Met with judges at conferences and workshops as well as in one-on-one meetings in each of the state’s ten districts to discuss concerns and needs regarding the sentencing guidelines and the worksheets.

Presented at conferences of state prosecutors and public defenders to discuss concerns and needs regarding the sentencing guidelines and the worksheets.

Approved a draft guidelines worksheet for dissemination for feedback among practitioners.

Created website with all guidelines materials available as well as information about the Commission, its meetings, and reports and links to other states and research.

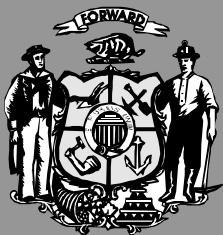
Disseminated e-mailed “snapshots” reports to provide data and information from the Commission’s databases regarding the statistics and operations of the state guidelines system.

TASK ONGOING BUT STRUCTURALLY COMPLETED.

- **Will issue annual report on Commission activities, with related statistics, by January 2005.**

REPORTS &
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- Will issue series of semi-annual reports, after completion of reliable and credible sentencing data system, beginning January 2005, then every six months following.

973.30(1)(f)

(f) Publish and distribute to all circuit judges hearing criminal cases an annual report regarding its work, which shall include all sentencing guidelines and all changes in existing sentencing guidelines adopted during the 12 months preceding the report.

Will issue annual report with required elements by January 2005 and each January thereafter, in accordance with the Commission's sunset provision.

973.30(1)(g)

g) Study whether race is a basis for imposing sentences in criminal cases and submit a report and recommendations on this issue to the governor, to each house of the legislature under s.13.172 and to the supreme court.

Completed first in series of monographs on disproportionate minority representation in Wisconsin sentencing.

Reached agreement with the La Follette Institute for Public Affairs to provide trained graduate students for analyses of disproportionate minority representation regarding each particular offense type—violent, property, drug, and sex.

- Will post first monograph on website by January, 2005. The report will present preliminary policy questions and recommendations, and a list of research questions for future monographs in the series .
- Will complete and disseminate new monographs quarterly.
- Will produce policy recommendations for legislature and executive branch throughout the reporting period and in a final report by June 2006.

973.30(1)(h)

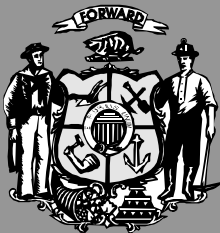
(h) Assist the legislature in assessing the cost of enacting new or revising existing statutes affecting criminal sentencing.
No requests to date. Examined possible prison population projection techniques for future use.

973.30(1)(i)

At least semiannually, submit reports to all circuit judges, and to the chief clerk of each house of the legislature for distribution to

REPORTS &
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the appropriate standing committees under s.13.172 (3) containing statistics regarding criminal sentences imposed in this state. Each report shall have a different focus and need not contain statistics regarding every crime. Each report shall contain information regarding sentences imposed statewide and in each of the following geographic areas:

1. Milwaukee County.
2. Dane and Rock counties
3. Brown, Outagamie, Calumet, and Winnebago counties.
4. Racine and Kenosha counties.
5. All other counties.

Developed data entry system for existing sentencing guidelines worksheet. Developed personnel process for data entry and analysis through internship partnerships with UW departments and Ripon College. Completed report on areas for revision and improvement of existing worksheets.

Completed revision of data from the state Department of Corrections to use in sentencing-related concerns.

Completed agreement with the state Administrative Office of the Courts to develop system for pulling data from its Consolidated Court Automated Programs database.

- **Submitted grant proposal to National Institute of Justice to fund analyst and support help to merge sentencing guidelines worksheet data with the combined CCAP/DOC data system.**

- **Will issue series of semi-annual reports with the required elements, after completion of reliable and credible sentencing data system, beginning January 2005, then every six months following. The first report will be on burglary, followed by robbery, then (unless changed by the Commission) OWI and the three guidelines offenses under the drug category.**

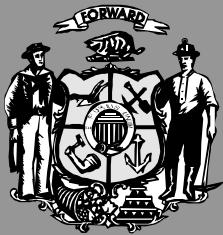
973.30(1)(j)

(j) Study how sentencing options affect various types of offenders and offenses.

Developed data entry system for existing sentencing guidelines worksheet. Developed personnel process for data entry and analysis through internship partnerships with UW departments and Ripon College. Completed report on areas for revision and improvement of existing worksheets. Entered over 1000 cases and

REPORTS & ACTIVITIES

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began reporting on guidelines practice.

Completed revision of data from the state Department of Corrections to use in sentencing-related concerns.

Completed agreement with the state Administrative Office of the Courts to develop system for pulling data from its Consolidated Court Automated Programs database. Currently merging data on burglary, robbery, and armed robbery with case and offender data provided by DOC.

Submitted grant proposal to National Institute of Justice to fund analyst and support help to merge sentencing guidelines worksheet data with the combined CCAP/DOC data system.

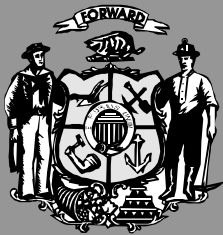
Reached agreement with the La Follette Institute for Public Affairs to provide trained graduate students for analyses of sentencing options and their impacts on offenders and offenses.

- **Future “Snapshots” publications planned to address victimization, gender issues in sentencing, drug offenders, aging offenders, and other vital concerns.**

- Will have La Follette student perform literature review with recommendations for future studies and applications in Wisconsin by August 2005, with recommended studies to follow quarterly.

OUTREACH

Wisconsin Sentencing Commission 2004 Annual Report



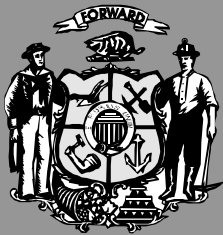
OUTREACH

Outreach and networking are important functions in establishing a Sentencing Commission as a valuable and trusted partner of the criminal justice system. The Commission benefited greatly from invitations to make presentations to and participate in discussions with many diverse groups of criminal justice professionals.

March 29	La Follette Institute brown bag seminar. Madison.
April 1	Wisconsin Criminal Jury Instruction Committee meeting, UW School of Law. Madison.
April 5	UW School of Law – Sentencing Seminar. Madison
April 23	Wisconsin District Attorneys’ Association – Board of Directors meeting. Madison
May 20	Criminal Law and Sentencing Institute– Spring 2004 Conference. “Meet the Sentencing Commission.” With Judges Naze and Butler. Waukesha
June 14	State Prosecutors’ Education & Training Conference – “Truth in Sentencing Issues.” With AAGs Latorraca and Herman. Wisconsin Dells
August 17	National Association of Sentencing Commissions. “Sentencing Trends and the Impact of Guidelines.” Santa Fe, NM.
August 26	Supreme Court Policy and Planning Advisory Committee’s Subcommittee on Alternatives to Incarceration. Madison.
September 2	Dodge Correctional Institution. Review of Assessment and Evaluation procedures. Waupun.
September 21-22	Impacts of Blakely: National Meeting convened by the Vera Institute. Denver, CO.
October	Public Defenders’ Conference. Milwaukee
November 17	Racine Rotary Club. Racine

OUTREACH

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Chief Judges' Meetings

The Chair, Executive Director, and Deputy Director of the Commission made site visits to the chief judges of all ten judicial districts in the summer of 2004. The Commission is grateful for the willing participation and valuable input of all who arranged and attended these informal discussions.

July 13	District 5	Madison
July 22	District 4	Sheboygan.
July 27	District 2	Racine.
July 29	District 10	Rice Lake.
August 10	District 7	Viroqua.
August 12	District 6	Baraboo.
August 13	District 1	Milwaukee.
August 23	District 8	Appleton.
August 31	District 9	Wausau.
September 13	District 3	Pewaukee

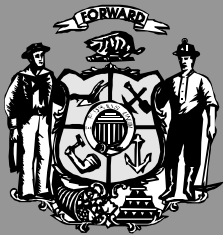
Judicial District Meetings

Subsequently, Commission also presented more formally at quarterly or annual district meetings.

August 5	District Court Administrators' bimonthly meeting.	Madison.
September 13	District 3 quarterly meeting.	Pewaukee.
September 17	District 10 annual meeting.	Rice Lake.
October 14	District 5 quarterly meeting.	Madison
October 22	District Chief Judges' bimonthly meeting.	Madison.
October 28	District 4 quarterly meeting.	Fond du Lac
November 19	Felony Judges' Retreat	Milwaukee.

OUTREACH

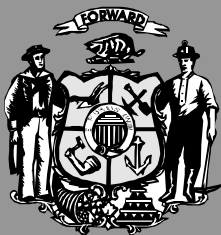
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INVITED GUESTS –PRESENTATIONS TO THE SENTENCING COMMISSION

The Commission has benefitted greatly from the input of many criminal justice professionals. The Commission is especially grateful to those who have given their time to give presentations at Commission meetings.

February 27	Prof. Thomas Hammer, Marquette University School of Law
March 26	Bruce Olsen, Assistant Attorney General Michael Scott, UW School of Law Michael Lew and Eric Kim, Department of Corrections
April 30	Pamela Oliver, Chair, UW Sociology Department
May 28	Lisa Meuller, La Follette Institute of Public Affairs, Sentencing Commission Research Assistant
October 8	Prof. Kenneth Streit, Marquette University School of Law Prof. David Wiemer and Jason Engle, La Follette Institute of Public Affairs
November 12	David Schwarz and William Lundstrom, Department of Administration, Division of Hearings and Appeals.



DATA & RESEARCH CAPACITY

The Wisconsin Sentencing Commission collects data and reports on adult felony sentencing in Wisconsin. It receives sentencing guidelines worksheets on cases concerning the eleven most frequent offenses in the state, as of 1999. It also is working with the Wisconsin Department of Corrections and the Wisconsin Courts system to develop an integrated sentencing data system and analyses of factors related to particular sentences.

The Wisconsin Sentencing Commission seeks to be a state and national resource for data and research on adult felony sentencing. It regularly reports on basic sentencing data in the state and issues annual and special reports on statistics and topics of depth. It is currently partnering with the LaFollette Institute for Public Affairs at the University of Wisconsin to produce analyses of state sentencing and its impact.

SYNOPSIS OF *SNAPSHOTS* REPORTS

Commission staff initiated a periodic series of short, concise reports on various aspects of sentencing and criminal justice. Entitled *Snapshots on Sentencing in Wisconsin*, the series included 10 installments in 2004.

INTRODUCTION, OVERVIEW OF THE SENTENCING COMMISSION

Volume 1, Number 1

Outlined the Commission's membership, statutory and executive charges, and current efforts.

ANALYSES OF GUIDELINES WORKSHEET DATA

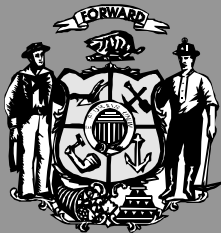
Volume 1, Number 2: Where Judges Place Sentences on the Sentencing Guidelines Grids

Over one quarter of the 835 worksheets submitted through June 1, 2004 fell in the middle cell of the 3x3 guidelines matrices across all 11 offenses. Volume 1, Number 3: Offender Risk Assessment Factors

Judges have the option of indicating a number of risk assessment factors as relevant in sentencing on each guidelines-relevant case. "Age", "Previous Acts" and "Dependence on Controlled Substances" are checked the most often on the worksheets the Commission has received.

Volume 1, Number 7: Mean Age of Offenders in Wisconsin, by Guidelines Offense

For the 835 worksheets submitted to date, ages of defendants ranged from 15 to 65 years, but most were under 30. The mean age was 27.5 years. Age is most often indicated as a relevant risk factor in cases involving the youngest and oldest defendants.



Volume 1, Number 8: An Update of Worksheet Data

The Commission has now received a total of 1,265 worksheets. This is a 50% increase just since June 1. More counties are now submitting worksheets, which improves the quality of the analyses possible with the data. The Commission's estimates indicate that the submission rate is holding at just under 40% of all cases processed.

RACE AND SENTENCING IN WISCONSIN

Volume 1, Number 4: A Preliminary Look at the Data

Summarizes the national research, showing significant, persistent racial disparity in incarceration rates. Presents some preliminary data on 2003 admissions to Wisconsin state prisons. Observed incarceration disparities are the result of a number of difficult to measure environmental and criminal justice processing factors.

Volume 1, Number 5: The (Possible) Role of Geography

While minorities are incarcerated in much greater proportion to the population as a whole, sentence length does not appear to be a contributing factor. The differences on average sentence between racial groups are small. And, for some offenses whites appear to receive longer average prison sentences. Sentences seem to be shorter than the statewide average in Milwaukee, which may lead to lower average sentences for minorities when looking at the state as a whole.

OTHER TOPICS

Volume 1, Number 6: The Most Common Offenses in the TIS II Period

The Criminal Penalties Study Committee looked at the volume of prison cases in the 1990s to determine the offenses for which to develop guidelines. This Snapshot revisits the analysis of top prison-admission offenses in the TIS II era (February 2003 to present). Fifth and subsequent convictions for Operating While Intoxicated, recently made a felony, are now near the top of the list, which continues to be dominated by drug convictions.

Volume 1, Number 9: Women Offenders in Wisconsin

Women make up around 6% of the total incarcerated population in Wisconsin, just under the national average of 6.9%. However, the sheer number of women in prison, and their percentage of the total incarcerated population continue to increase. While men are imprisoned for violent crimes and drug offenses, the crimes for which women are incarcerated tend to be either drug-related or economic (theft, forgery/uttering, burglary).